REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested. Currently claims 1 and 3-6 are pending in the application. Claims 7-9 have been withdrawn from consideration. Claim 1 has been amended.

Claims 1 and 4-5 have been rejected as allegedly obvious over Van der Wal in view of alleged admitted prior art. The Examiner has asserted that Van der Wal discloses the same invention substantially as claimed except for the conveyor being a belt. Applicant respectfully disagrees with the Examiners rejection and contentions regarding the differences between the claimed invention and Van der Wal.

The Examiner cites Figure 1 of Van der Wal has showing a multiple taping device having four identical supply reels 6 for four identical bands. The Examiner further cites column 1, lines 65-69 which indicates "which may be employed not only for applying metal tapes but also for winding non-fusible tapes," and column 3, line 31, which states "in the case of tapes of metal or other fusible material, when gluing together the overlapping tape ends it is not possible, spot welding electrodes or other heating electrodes... ." From these passages the Examiner concludes that the bands can be of the film type or of the strap type. Applicant respectfully disagrees for the following reasons.

In column 1, lines 23-64 a method according to the state of the art is discussed. This known method uses welding. Column 1, lines 65 through 69 states that contrary to the state of the art, the object of the invention is to provide a method which may not only be employed for metal tapes, but also for non-fusible tapes which cannot be welded with the method of the state of the art. In other words, this passage relates to metal tapes and to non-fusible tapes, but not to bands of the strap type or bands of the film type, which can be welded as in the present invention. Although it is known in the art that strap and film materials can separately be used for arranging bands around packets, it is not known, as in the present invention, to have a single machine which utilizes both strap and film materials as claimed. A strap is typically made of PP or PET material with a relatively small width typically 3-25 mm, and a thickness of typically

0.25-2 mm. A film material is typically flexible and made of PE. A film material is relatively wide, typically 50-2000 mm and typically has a thickness of 13 to 250 microns. A film material will be suitable as a label carrier.

In addition, in Van der Wal at column 3 beginning on line 31, it indicates that in case of metal tapes or other fusible tapes, heating electrodes may be used. This passage does not explicitly relate to bands of the film or strap type and certainly not to a device suitable for applying a band of the film type and of the strap type. In addition to claim 1 reciting bands of film or strap type, claim 1 has been amended to further distinguish the invention over Van der Wal as reciting band clamping and guiding means including a first group of band clamping and guiding means having a first pair of welding and clamping jaws arranged for the band of the strap type and a second group of band clamping and guiding having a second pair of welding and clamping jaws arranged for the band of the film type. Considering Van der Wal does not have bands of both strap and film, it does not have welding and clamping jaws for each type of band. It is respectfully submitted that claim 1 is not obvious over Van der Wal and it is respectfully requested that this rejection be withdrawn.

Claims 3 and 6 have also been rejected as allegedly obvious over Van der Wal further in view of Odenthal. It is respectfully submitted that Odenthal does not disclose the deficiencies of Van der Wal which would render the claimed invention obvious. In Odenthal, Figure 1 illustrates that the packaging material 4 is pulled from a supply reel, cut into two to give bands 7 and 8. Band 7 and band 8 have different widths, but are made from the same packaging material 4. Consequently, Odenthal does not disclose nor suggest the claimed device for arranging a strap and a film around a packet. Further it is noted that the use of band clamping means moving transversely of the conveyor belt 2 would not make sense, since the band 7,8 are placed underneath the packets.

The Examiner has indicated that claim 1 merely states what type of bands are used within the machine and does not encompass the combination of the film and strap bands. Applicant respectfully disagrees. Claim 1 recites a first group of band clamping and guiding means having a first pair of jaws for the band of the strap type and a second group of band clamping and

guiding means having a first pair of jaws for a band of the film type. In view of the very different properties of a strap and a film, it is clear that the first group would only suitable for a strap and not for film and that the second group would only be suitable for film and not for strap.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, early indication thereof is respectfully submitted.

Respectfully submitted,

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